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DATE FILED: 10/6/05 October 5, 2005

W. HANS KOBELT
JUSTIN CHU
ANTHONY ZACCARIA

BY FAX

Hon. Robert P. Patterson, Jr.
United States District Court
500 Pearl Street
New York, NY 10007-1312

MEMO ENDORSED

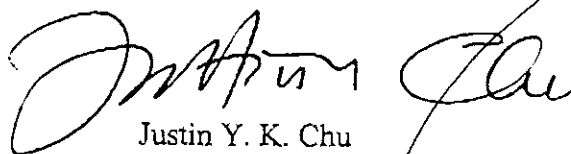
re: Davis v. Kirkpatrick & Lockhart LLP
04 Civ. 9195 (RPP)

Dear Judge Patterson:

Responding to plaintiff's letter to your Honor of October 4, 2005:

Defendant has no objection to plaintiff's request for an extension of the discovery deadline so that the depositions can be completed¹. In view of the December 21 deadline requested by plaintiff, defendant respectfully suggests a schedule providing for pre-trial papers to be filed by January 13, 2006 (taking into account of the intervening holidays) and a control trial date of January 23, 2006.

Respectfully yours,



Justin Y. K. Chu
Counsel for Defendant

cc: Counsel for Plaintiff

**SEE TYPEWRITTEN MEMO
ENDORSEMENT ATTACHED**

*Application
granted.
Disregard
previous
dates for
pre trial order
and trial -
ordered 10/13/05
So ordered
D. M. Phallan
10/15/05*

¹ Defendant had previously offered the witnesses in July and August. Plaintiff, however, decided to cancel the depositions.

Case: Jamal Davis v. Kirkpatrick & Lockhart LLP
Index No. 04 Civ. 9195 (RPP)

MEMO ENDORSEMENT READS:

Case: Jamal Davis v. Kirkpatrick & Lockhart LLP
Index No. 04 Civ. 9195 (RPP)

MEMO ENDORSEMENT READS:

Application granted.

*Disregard previous dates for pretrial order and trial ordered
10/5/05.*

So ordered.

Robert P. Patterson, Jr., U.S.D.J., 10/6/05